

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v James E Walker**
Docket No. **276027**
L. Ct. No. **2000-003285-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal from the December 26, 2006 order denying appellant's request for appellate counsel is DISMISSED for lack of jurisdiction as the United States Supreme Court's decision in *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005), does not apply since the Macomb Circuit Court denied appellant's 2004 and 2006 requests for appellate counsel on the ground that they were untimely, not because he had pleaded guilty in 2001.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 22 2007

Date

Sandra Schultz Mengel
Chief Clerk